

Consent Calendar

February 6, 2009

A. Minutes of Previous Meeting

Tab A

Minutes of the Meeting of the State Board of Education held January 8, 2009 are attached under Tab A, and are recommended for approval.

B. Contracts

Tab B

The following contracts are recommended for approval by the Board:

(1) Wally Properties LLC. \$271,044. 4/1/09-3/31/14. - Fed.

To lease office space for the Division of Rehabilitation Services Richfield office located at 150 W 1500 S Main, Richfield, Utah.

(2) Kelly Williams. \$50,000. 11/5/08-11/4/11.

To serve as hearing officer for the Utah Professional Practices Advisory Commission for educator licensing hearings when allegations of misconduct have been made and other hearing-related activities.

(3) Social Solutions. \$28,592.87. 1/30/09-1/29/12. - Fed.

Web based software system for performance management solutions.

C. Educator Licensing Requests for Temporary Authorization

Tab C

Requests for Temporary Authorizations as submitted by the school districts are attached under Tab C. It is recommended that the State Board of Education approve the requests for Temporary Authorizations as submitted.

D. Data Standards, R277-484

Tab D

The following amendments to R277-484 were reviewed by the Board:

District Implementation of UTREx to stipulate that UTREx replace the current USOE Clearinghouse. UTREx will not be fully functional until the 2010-2011 school year.

July 15 Data Submission Deadline Adjustment to stipulate that no re-submission of Clearinghouse data will be allowed later in the new school year. The USOE will sponsor professional development activities in the spring of 2009 to ensure that all LEAs are aware of the need to review all error and summary reports and correct all data errors prior to the July 15 deadline. LEA signatures verifying that the LEA has appropriately reviewed and amended data submissions found on the USOE provided error and summary reports will be a key to improved data quality.

An improved policy that will better define the parameters for responding to research requests.

The Board approved the amendments to R277-484 on second reading at its January 8, 2009 meeting. There have been no substantive changes to the rule since that time. It is recommended that the Board approve R277-484, Data Standards, on third and final reading.

E. Disposal of Textbooks in the Public Schools, R277-433

Tab E

In 1991, the Utah Legislature enacted a law requiring the Utah State Office of Education to provide rules and procedures directing the disposal of textbooks. The current rule directs school districts to notify the USOE in writing of their intent to dispose of useable textbooks, and the USOE to then compile and distribute a list of available useable textbooks to all school districts each year. It has become apparent that this process is neither effective nor efficient. The amended rule removes the USOE from the process and requires school districts and charter schools to develop policies consistent with their own size, location and circumstances which should enable a more efficient and effective process for disposing of useable textbooks.

The Board approved R277-433 on second reading at its January 8, 2009 meeting. There have been no substantive changes to the rule since that time. It is recommended that the Board approve R277-433, Disposal of Textbooks in the Public Schools on third and final reading.

F. Robert C. Byrd Honors Scholarship Program, R277-701

Tab F

The Robert C. Byrd scholarship program is a national program that identifies students with excellent academic skills in high school and who demonstrate the possibility for continued success in college.

The U.S. Department of Education has developed guidelines for the administration of the scholarship. Federal guidelines state that in order to be eligible for scholarship funds a scholar must be enrolled full time for the first year of study. Recipients have not understood that they must complete a full year of college before they can apply for a waiver or exception.

R277-701, Robert C. Byrd Honors Scholarship Program was amended to say that a scholarship recipient may be allowed, based on prior approval for unusual circumstances, to interrupt or postpone the recipient's use of the scholarship for a period not to exceed 12 months *after the first full year of college is completed*. The rule change will clarify the requirement for waivers or exceptions for the recipients.

The Board approved R277-701 on second reading at its January 8, 2009 meeting. There have been no substantive changes to the rules since that time. It is recommended that the Board approve R277-701, Robert C. Byrd Honors Scholarship Program on third and final reading.

G. International Baccalaureate Programs, R277-710

Tab G

The 2008 Legislature passed S.B. 2, which allocated funding for the International Baccalaureate Program (IB). Legislation states that money appropriated to the Board for accelerated learning programs shall be allocated to local boards and charter schools for programs in grades 1-12 for the gifted and talented, advanced placement, and IB.

The IB Program (Diploma, Middle Years and Early Years) is a K-12 model. The current rule does not recognize the Middle and Early Years Programs since classes in grades K-8 are not based on semester hours. Therefore, these programs are not eligible for IB funding. In addition, the current rule states that all candidate IB and approved IB schools shall be equally eligible for funding. There is a two-year approval process to become an IB school. Many schools do not complete the application and approval process. Therefore, only authorized IB schools should receive funding.

R277-710, International Baccalaureate Programs, is amended as follows: (1) Fifty percent of the total funds designated for IB shall be equally distributed among all authorized IB programs in the state; (2) The remaining fifty percent allocation shall be distributed equally to schools where students scored a grade of 4 or higher on IB exams, resulting in a fixed amount of dollars per exam passed; (3) Candidate IB programs shall not be eligible for funding.

The Curriculum Committee reviewed the amendments to R277-710 at the January 8, 2009 meeting, and made the following amendments: Where it indicates School Districts also include Charter Schools; R277-710-5 C.(2) strike the word "equally." It will be distributed to IB high schools where students scored a grade of 4 or higher on the exams.

The Board approved R277-710 on second reading at its January 8, 2009 meeting. There have been no substantive changes to the rules since that time. It is recommended that the Board approve R277-710, International Baccalaureate Programs on third and final reading.

H. Student Transportation Standards and Procedures, R277-600

Tab H

At the direction of the 2007 Legislature, a funding formula study committee composed of representatives from the USOE and representatives from small, medium and large school districts developed recommendations for revising the student transportation funding formula. These revisions created greater transparency and equity among the districts. The State Board of Education approved these recommended revisions in their August 3, 2007 board meeting but it was decided to wait to amend R277-600, *Student Transportation Standards and Procedures* until the findings of a Legislative Audit were released.

The Board approved R277-600 on second reading at its January 8, 2009 meeting. There have been no substantive changes to the rule since that time. It is

recommended that the Board approve R277-600, Student Transportation Standards and Procedures on third and final reading.

I. Standards for Utah School Buses and Operations, R277-601 Tab I

Two issues, the use of electronic and telecommunication devices on school buses and the end of bus route inspection, have been identified on both the local and national level affecting standards for buses and their operations. The amendments to R277-601, *Standards for Utah Buses and Operations* will address both these issues and remove antiquated language from the rule that no longer applies.

The Board approved R277-601 on second reading at its January 8, 2009 meeting. There have been no substantive changes to the rule since that time. It is recommended that the Board approve R277-601, Standards for Utah School Buses and Operations on third and final reading.

J. Administrative Rule Review Tab J

Under provisions of 63-45a-9, U.C.A. 1953, all administrative rules shall be reviewed every five years. There may be minor non-substantive changes within these rules. It is recommended that the following rules be reviewed and approved:

R277-102	Adjudicative Proceedings
R277-413	Accreditation of Secondary Schools
R277-425	Budgeting, Accounting, and Auditing for Utah School Districts
R277-601	Standards for Utah School Buses and Operations
R277-712	Advanced Placement Programs

K. Monthly Budget Report Tab K

The Monthly Budget Report attached under Tab K provides information to the Board in meeting its fiduciary responsibilities toward the Utah State Office of Education, the Utah State Office of Rehabilitation and the Utah Schools for the Deaf and the Blind.

L. USBE Annual Calendar Tab L

Attached under Tab L is the Utah State Board of Education Annual Calendar for 2008. This is provided for information to the Board.

M. Ratifications Tab M

It is recommended that Susan Spehar be ratified as an Educational Specialist in the Law, Legislation, and Educational Services Division.

N. List of Applicants for Licenses

A summary of the list of applicants for initial and renewal licenses will be available at Board meeting in accordance with Board policy for perusal by members of the Board. It is recommended that the Board approve the List of Applicants.

O. Claims Report

The Claims Reports for June 30, 2008 and January 30, 2009 will be available at the meeting in accordance with Board policy for perusal by members of the Board. It is recommended that the Board approve the Claims Report.